

SQUARE BUTTE BOUNDARY AGREEMENT

WHEREAS, the **State of Montana, State Board of Land Commissioners**, whose address is P.O. Box 201601, Helena, MT 59620-1601 is the owner of N½ of Section 33, and Section 34, all in Township 21 North, Range 12 East and the E½ of Section 3, Township 20 North, Range 12 East, MPM, Chouteau County, Montana; and,

WHEREAS, **Dostal Farm, LLP**, a Montana Limited Liability Partnership, whose address is 883 Photography Way, Geraldine, MT 59446-9043 is the owner of the SE¼ and the W½ of Section 25, Section 26 (less a 12 acre parcel in the SW¼NE¼ of the Section), and Section 27, all in Township 21 North, Range 12 East, MPM, Chouteau County, Montana; and,

WHEREAS: **Eleanor J. Whalen as Trustee of the 2004 Eleanor J. Whalen Trust** whose address is 2322 Calle Almirante, San Clemente California, 92673 owns a 1/3 undivided interest; **Jack Musgrove and Mary Estelle Musgrove** whose address is 33206 Falcon Drive, Fremont, CA 94555-1126- as joint tenants - own a undivided 1/6 interest; **Barbara W. Trent** whose address is P.O. Box 10716, Newport California, 92658 owns an undivided 1/12 interest; **Mary W. Brooks** whose address is 2320 Calle Almirante, San Clemente California 92673 owns an undivided 1/12 interest; **Daniel Branch**, whose address is 119 7th Street, Juneau Alaska, 99801, owns an undivided 3/12 interest; and **Margaret W. Mellor**, whose address is 28521 Via Reggio, Laguna Niguel California, owns an undivided 1/12 interest; all in the N½ of Section 35, Township 21 North, Range 12 East, MPM, Chouteau County, Montana; and,

WHEREAS, **Roland Durocher**, 78 Sun River Road, Great Falls, MT 59404-6319 is the owner of Lots 3 and 4 within Section 2, Township 20 North, Range 12 East, and SW¼ of Section 35, Township 21 North, Range 12 East, MPM, Chouteau County, Montana; and,

WHEREAS, **Meissner Ranches, Inc.**, a Montana Corporation, whose address is P.O. Box 490, Chester, MT 59522-0490 is the owner of the SE¼ of Section 35, and SW¼ of Section 36, all in Township 21 North, Range 12 East, MPM, Chouteau County, Montana; and,

WHEREAS, **Buckskin Butte Ranch, Inc.**, a Montana Corporation, whose address is P.O. Box 308, Fort Benton, MT 59442, is the owner of:

Township 20 North, Range 12 East, MPM, Chouteau County, Montana
Section 3: Lots 3, 4, that part of the S½NW¼, not in the Square Butte township

Township 21 North, Range 12 East, MPM, Chouteau County, Montana

Section 33: S½, excepting therefrom that land conveyed by that Right of Way Deed filed November 29, 1912, in Book 7 of Deeds, page 86, to Chicago, Milwaukee and Puget Sound Railway Company, and that Highway Right of Way Easement filed January 15, 1948 as Document No. 275706, in Book 60 of Deeds, 187, Records of Chouteau County, Montana.

WHEREAS, these adjacent properties share common boundary lines, and

WHEREAS, due to a lack of original monumentation or physical evidence on the ground for the above-described parcel of real property it is impossible to determine in all certainty the true location of the boundary line common to these parcels of real property, and,

WHEREAS, the above-described adjacent real property owners hereby desire to firmly establish, now and forever, the common boundaries between their properties, and

NOW, THEREFORE, the above-described parties hereby agree that, effective from this 12th day of June, 2009 forward, the true boundary lines between the above-described parcels of real property shall be as depicted in the Certificate of Survey attached hereto, and incorporated herein by reference, as Exhibit "A".

STATE OF MONTANA

DATE: _____

IN TESTIMONY WHEREOF, the State of Montana has caused these presents to be executed by the Governor, and to be attested by the Secretary of State, and countersigned by the Director of the Department of Natural Resources and Conservation, and the Great Seal of the State, and the Seal of the State Board of Land Commissioners to be hereunto affixed this _____ Day of _____, A.D. 2009

Governor of the State of Montana

ATTEST:

Secretary of State

Counter-signed by:

**Director, Department of Natural Resources
& Conservation**

DAN NELSON

_____ DATE: _____

ACKNOWLEDGMENT

STATE OF MONTANA)
)
) :SS
COUNTY OF _____)

On this the ____ day of _____, 2009, before me, the undersigned authority, a Notary Public in and for the State of Montana, personally appeared Dan Nelson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____

**ELEANOR J. WHALEN, AS TRUSTEE OF THE
2004 ELEANOR J. WHALEN TRUST**

_____ DATE: _____

ACKNOWLEDGMENT

STATE OF MONTANA)
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) :SS
COUNTY OF _____)

On this the ____ day of _____, 2009, before me, the undersigned authority, a Notary Public in and for the State of Montana, personally appeared Eleanor J. Whalen, Trustee of the 2004 Eleanor J. Whalen Trust, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____

JACK MUSGROVE

_____ DATE: _____

ACKNOWLEDGMENT

STATE OF MONTANA)
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) :ss
COUNTY OF _____)

On this the ____ day of _____, 2009, before me, the undersigned authority, a Notary Public in and for the State of Montana, personally appeared Jack Musgrove, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____

_____ DATE: _____

STATE OF MONTANA)
)
) :ss
COUNTY OF _____)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____

BARBARA W. TRENT

_____ DATE: _____

ACKNOWLEDGMENT

STATE OF MONTANA)
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) :ss
COUNTY OF _____)

On this the ____ day of _____, 2009, before me, the undersigned authority, a Notary Public in and for the State of Montana, personally appeared Barbara W. Trent, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____

MARY W. BROOKS

_____ DATE: _____

ACKNOWLEDGMENT

STATE OF MONTANA)
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) :ss
COUNTY OF _____)

On this the ____ day of _____, 2009, before me, the undersigned authority, a Notary Public in and for the State of Montana, personally appeared Mary W. Brooks, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____

DANIEL BRANCH

_____ DATE: _____

ACKNOWLEDGMENT

STATE OF MONTANA)
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) :ss
COUNTY OF _____)

On this the ____ day of _____, 2009, before me, the undersigned authority, a Notary Public in and for the State of Montana, personally appeared Daniel Branch, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____

_____ DATE: _____

STATE OF MONTANA)
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) :ss
COUNTY OF _____)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____

ROLAND DUROCHER

_____ DATE: _____

ACKNOWLEDGMENT

STATE OF MONTANA)
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) :SS
COUNTY OF _____)

On this the ____ day of _____, 2009, before me, the undersigned authority, a Notary Public in and for the State of Montana, personally appeared Roland Durocher, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____

MEISNER RANCHES, INC.

Paul Meissner

DATE: _____

ACKNOWLEDGMENT

STATE OF MONTANA)
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) :SS
COUNTY OF _____)

This instrument was acknowledged before me on the _____ day of _____, 2009 by - Paul Meissner, as the President of Meissner Ranches, Inc., a Montana Corporation on behalf of whom this instrument was executed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____

BUCKSKIN BUTTE RANCH, INC.

Stephen K. Vielleux

DATE:_____

ACKNOWLEDGMENT

STATE OF MONTANA)
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) :SS
COUNTY OF _____)

This instrument was acknowledged before me on the ____ day of _____, 2009 by – Stephen K. Vielleux, as the President of the Buckskin Butte Ranch, Inc., a Montana Corporation on behalf of whom this instrument was executed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____

DOSTAL FARM, LLP, a Montana Limited Liability Partnership

Patricia A. Eklund

DATE: _____

ACKNOWLEDGMENT

STATE OF MONTANA)
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) :SS
COUNTY OF _____)

This instrument was acknowledged before me on the ____ day of _____, 2009 by - Patricia A. Eklund, as Partner of Dostal Farm, LLP, a Montana Limited Liability Partnership, on behalf of whom this instrument was executed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year last above written.

PRINTED
NAME _____
Notary Public in and for the
State of Montana
Residing at _____
My Commission Expires _____